IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 13128 of 2004

Between:

O.S.Ravi Kumar, S/o Joseph,
Ashoknagar, Koyyalagudem, West Godavari District

..... PETITIONER

AND

1 The Chairman & Managing Director,

Andhra Pradesh Transco, Vidyut Soudha,
Khairatabad, Hyderabad
2 The Chairman and Managing Director,

Eastern Power Distribution Company of A.P.Ltd
Near Saraswathi Park, Visakhapatnam
3 The Chief General Manager,

Eastern Power Distribution Company of A.P.Ltd
Near Saraswathi Park, Visakhapatnam
4 The Superintending Engineer (Electrical), Operation,

Eastern Power Distribution Company of A.P.Ltd.
Near Gajjalavari Tank, Eluru, West Godavari District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue any appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus and declare the action of respondents as illegal, arbitrary and unconstitutional in reject the petitioner's case for appointment to the post of Sub-Engineer by setting aside the impugned letter No.SE/O/ELR/Adm/F.CL/D.No.278/03 dated 29/05/2003 and direct the respondents to appoint the petitioner as Sub-Engineer and to pass such other order or orders in the interest of justice.

Counsel for the Petitioner:MR.B.P.RAJU

Counsel for the Respondent No.1: MR.S.RAVINDRANATH, Standing Counsel for AP TRANSCO

Counsel for the Respondent Nos.2 to 4: SMT URMILA, Standing Counsel for APEPDCL.

The Court at the stage of admission made the following ORDER:

The petitioner worked as a Contract Labourer under the respondents. In pursuance of an order of this Court in WP.No.5064 of 1999 and batch, a notification was issued by the respondents on 22-09-2000 and the cases of the petitioners therein were considered for appointment as Sub-Engineers. After considering the case of the petitioner also, the fourth respondent passed an order on 29-05-2003 informing the petitioner that after considering his name, he was not found eligible for appointment as

Sub-Engineer since he was not on rolls as on 18-05-1997. The petitioner being, aggrieved by the said order, approached this Court praying for a direction to the respondents to reconsider his name by asserting that he was on rolls as a Contract Labourer as on 18-05-1997 and to appoint him as a Sub-Engineer.

In view of the assertion made by the petitioner, the respondents are directed to verify the relevant records once again to make sure whether the petitioner was on rolls of the Contract Labourers as on 18-05-1997 or not and if they find his name in the rolls as on 18-05-1997, they shall pass appropriate orders by considering the candidature of the petitioner within two months from the date of receipt of this order and communicate the said order to the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

29th JULY, 2004.

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To

1 The Chairman & Managing Director,

Andhra Pradesh Transco, Vidyut Soudha,
Khairatabad, Hyderabad
2 The Chairman and Managing Director,

Eastern Power Distribution Company of A.P.Ltd
Near Saraswathi Park, Visakhapatnam
3 The Chief General Manager,

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5 Two CD copies.